



PATENT

Customer No. 22,852

Attorney Docket No. 08521.0005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert POLLIN

Serial No.: 09/492,133

Filed: January 27, 2000

For: AUTOMATED PAYMENT SYSTEM
AND METHOD

)
)
) Group Art Unit: 2166

)
) Examiner A. Kalinowski

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Technology Center 2100

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56, 1.97(c), and M.P.E.P. § 2001.06(c), Applicant brings to the attention of the Examiner the following information.

At least one of the patents from which this application claims priority is the subject of a pending litigation: Autoscribe Corporation v. Intel-A-Check Corporation, Civil Docket No.: 01-CV-4625, filed October 2, 2001 in the U.S. District Court District of New Jersey.

Further, Applicant brings to the attention of the Examiner the document listed on the attached PTO 1449. This document was brought to Applicant's attention during the above noted litigation.

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Applicant respectfully requests that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

Except as otherwise noted in the Response to Requirement for Information under 37 C.F.R. § 1.105 filed concurrently herewith, this submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claims in the application and Applicant determines that the cited document does not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of the document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Ex Parte Quayle action, or a Notice of Allowance. Further, this Information Disclosure Statement is accompanied by the fee of \$180.00 as specified by Section 1.17(p).

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If there is any additional fee due in connection with the filing of this Statement,
please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 22, 2003

By: 
Joseph E. Palys
Reg. No. 46,508

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